

2 June 1983

Opinion

Censor gets scissored out

The irony is thick. The nation's former spymaster, Adm. Stansfield Turner, who, as director of the CIA under President Carter, enforced an agency gag rule, is now being gagged by those who run the shop.

The CIA's censorship committee, the innocuously-named Publications Review Board, has taken exception to several parts of a book Turner is writing on the craft of intelligence.

What makes Turner's case ironic is that it was during his tenure that the CIA won a major Supreme Court decision denying Frank Snepp, a former agency operative, the earnings from a book he wrote because he didn't clear it with his former employers. The prepublication review rule that snared Snepp has since been expanded by the Reagan administration to effectively gag any official with access to classified material, not just CIA personnel, from ever publishing anything on his or her government service, without first submitting it to censors. More than that, the administration wants to make it a crime, not merely a civil offense, to publish uncensored material.

Turner has complained that the deletions made by the agency have no basis, since the material is not classified and poses no threat to anyone. An aide to the admiral put it more bluntly: "The cuts are nitpicking and quibbling."

Right or wrong, that complaint touches on a basic flaw in the government policy. It gives arbitrary power to censors who, for whatever reason, can gut a book, not necessarily because it reveals strategic secrets, but because it may cast some political or administration figure in an unfavorable light. Or, the censors simply may not like the author.

Turner insists the matter will be solved by negotiation, but hasn't ruled out litigation. In fact, to compound the irony, the attorney he has retained, Anthony Lapham, was the CIA's chief counsel when it went to court against Snepp. Suing could, of course, cost Turner a bundle, something Snepp would know about. Asked about Turner's plight, Snepp couldn't help seeing "poetic justice in the fact that the architect of the CIA's censorship should now be feeling the heat."

Beyond that, though, there's also the lingering injustice of a regulation — so far upheld in rubber-stamp fashion by the courts — that has the potential to censor far more than classified information and to intimidate countless persons who, hesitating to tangle with the intelligence elite, will keep quiet when speaking out would be in the public interest.